

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, :
Plaintiff/Respondent, : Case No. 3:09cr00030, 3:10cv00425
vs. : District Judge Thomas M. Rose
RODERICK L. SAMPLE, : Magistrate Judge Sharon L. Ovington
Defendant/Petitioner. :

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DECISION AND ENTRY

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #34), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on October 14, 2011 (Doc. #34) is ADOPTED in full;
2. Petitioner's Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. §2255 (Doc. #24) is DENIED;
3. Any requested Certificate of Appealability is DENIED; and
4. These cases are terminated on the docket of this Court.

November 1, 2011

***s/THOMAS M. ROSE**

Thomas M. Rose
United States District Judge